UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,661	12/31/2003	Krishna Bharat	0026-0064	2814

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ART UNIT	PAPER NUMBER
2166	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/748,661	BHARAT ET AL.
	Examiner	Art Unit	
	Sangwoo Ahn	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 August 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 – 9, 18 – 28, 30 – 41* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 – 9, 18 – 28, 30 – 41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.
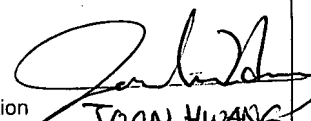
Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>20071015</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

JOON HWANG
PRIMARY EXAMINER

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/27/2007 has been entered.

Response to Amendment

Claims 1 – 9, 18 – 28, 30 – 41 are pending in this Office Action.

Claims 10 – 17 and 29 have been canceled.

Claims 1, 3, 5, 8, 18 – 19, 24 – 25, 27 have been amended.

Claims 30 – 41 have been added.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 – 2, 5 – 9, 18 – 21, 24 – 28, 30 – 34, 36 – 41 are rejected under 35

U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,990,633 issued to

Miyasaka in view of U.S. Patent Number 6,643,661 issued to Polizzi et al. (hereinafter

"Polizzi").

Regarding claim 1, Miyasaka discloses,

A method, comprising:

hosting first news content at a first server (Figure 2B element 44, Figure 3

element 5, et seq.);

receiving user input selecting news content of the first news content of the first

server (column 3 lines 43 – 45, et seq.);

sending query data, associated with the selected news content, from the first

server to a second server (Figure 3 element 4, et seq.) across at least a portion of a

network (column 4 lines 29 – 31; 34 – 37, column 11 lines 15 – 22, et seq.);

receiving, at the first server from the second server via the network, second news

content resulting from a search of the repository of documents at the second server

using the query data (column 11 lines 24 – 29, et seq.); and

providing access at the first server, to the first and second news content, to

multiple clients via the network (column 4 lines 31 – 33; 37 – 40, et seq.), wherein the

first server, second server and the other servers comprise different network devices that

are connected to the network (Figures 3 and 4, column 4 line 44 – column 5 line 6, et

seq.).

Miyasaka does not explicitly indicate that the second server is operable to crawl

a corpus of news documents hosted on other servers and to store information

associated with the crawled documents in a repository of crawled documents (Miyasaka

DOES disclose that the first server is capable of requesting/querying other news

documents from content providers or other databases maintained by others).

However, Polizzi discloses a crawl server (the second server) operable to crawl

documents on server agents (other servers) by navigating the portal, the intranet, and

the Internet, and to gather and download documents from the Internet (store information

associated with the crawled documents) (Figure 2 elements 235 and 250, column 12

lines 46 – 67, et seq.). It would have been obvious to a person of ordinary skill in the

data processing art to modify Miyasaka's method of aggregating news content from

multiple sources to incorporate Polizzi's method of crawling documents, thus enabling

access to multiple computer systems to retrieve data and present them to an individual

in a standardized and easy-to-learn format (column 1 lines 46 – 50, et seq.).

Claim 18 is essentially the same as claim 1 except it sets forth the limitation as "a

system" rather than "a method", therefore rejected based on the rationale discussed in

claim 1 rejection.

Regarding claim 2, Miyasaka discloses the query data comprises a Uniform

Resource Locator (URL) associated with the selected news content (column 1 lines 32

– 33, column 13 line 16; 31,et seq.).

Regarding claim 5, Polizzi discloses the second server aggregates news content

from the other server and groups the news content (column 12 lines 46 – 67, et seq.).

Regarding claim 6, Miyasaka discloses the search involves comparing the URL

with the grouped news content to determine a group from the grouped news content to

which the URL belongs (column 1 lines 33, column 4 line 14, column 13 lines 30 – 32,

et seq.).

Regarding claim 7, Miyasaka discloses the query data comprises a textual

portion of the selected news content (Figure 5C, et seq.).

Regarding claim 8, Miyasaka discloses generating a search query for use in the

search based on the textual portions of the selected news content (Figure 5C, column 3

lines 29 – 31; 34 – 37, et seq.).

Regarding claim 9, Miyasaka discloses the textual portion of the selected news

content comprises key words of the selected news content (Figure 5C, et seq.).

Regarding claim 19, Miyasaka discloses a method, comprising:

permitting multiple clients to access, via a network, first news content contained

in one or more news documents stored at a custom document server (Figure 3, column

3 line 67 – column 4 line 2, et seq.: news server is the custom document server);

sending query data, in response to a portion of the first news content being

accessed by at least one of the multiple clients, from the custom document server

across at least a portion of the network to a news server (column 4 lines 29 – 31; 34 –

40, et seq.: news server sends query data (searches according to user preference) to

content providers or content servers);

receiving second news content, via the network, at the custom document server

from the news server based on the query data (column 4 lines 31 – 37, column 11 lines

15 – 30, et seq.: various news contents are received);

incorporating the second news content into the one or more news documents

(column 4 lines 34 – 40, column 11 lines 55 – 62, et seq.: formatting content in the

desired layout); and

permitting the multiple clients to access, via the network, the second news

content at the custom document server, wherein the custom document server and the

news server comprise different network devices that are connected to the network

(Figure 3, column 3 line 67 – column 4 line 2, et seq.).

Miyasaka does not explicitly disclose a news server operable to crawl and

aggregate news content from a plurality of news sources (Miyasaka DOES disclose that

the custom news server is capable of requesting/querying other news documents from

content providers or other databases maintained by others).

However, Polizzi discloses a crawl server (the second server) operable to crawl

documents on server agents (other servers) by navigating the portal, the intranet, and

the Internet, and to gather and download documents from the Internet (store information

associated with the crawled documents) (Figure 2 elements 235 and 250, column 12

lines 46 – 67, et seq.). It would have been obvious to a person of ordinary skill in the

data processing art to modify Miyasaka's method of aggregating news content from multiple sources to incorporate Polizzi's method of crawling documents, thus enabling access to multiple computer systems to retrieve data and present them to an individual in a standardized and easy-to-learn format (column 1 lines 46 – 50, et seq.).

Claim 29 is essentially the same as claim 19 except it sets forth the limitation as "a custom news server" rather than "a method", therefore rejected based on the rationale discussed in claim 19 rejection.

Regarding claim 20, Miyasaka discloses the news server executes a search, using the query data, to retrieve the second news content (column 4 lines 34 – 37, et seq.).

Regarding claim 21, Miyasaka discloses the query data comprises a Uniform Resource Locator (URL) associated with the selected news content (column 1 lines 32 – 33, column 13 line 16; 31,et seq.).

Regarding claim 24, Miyasaka discloses the news server aggregates news content from a plurality of news sources and groups the news content (column 3 lines 45 – 49, column 4 lines 34 – 40, et seq.).

Regarding claim 25, Miyasaka discloses the search compares the URL with the grouped news content to determine a group from the grouped news content to which the URL belongs (column 1 lines 33, column 4 line 14, column 13 lines 30 – 32, et seq.).

Regarding claim 26, Miyasaka discloses the query data comprises a textual portion of the selected news content (Figure 5C, et seq.).

Regarding claim 27, Miyasaka discloses generating a search query for use in the search based on the textual portion of the selected news content (Figure 5C, column 3 lines 29 – 31; 34 – 37, et seq.).

Regarding claim 28, Miyasaka discloses the textual portion of the selected news content comprises key words of the selected news content (Figure 5C, et seq.).

Regarding claim 30, Miyasaka discloses,

A system, comprising:

a first server configured to:

store locally created news content (Figure 2B element 44, Figure 3 element 5, et seq.), and

send a search query across at least a portion of a network to a second server (column 4 lines 29 – 31; 34 – 37, column 11 lines 15 – 22, et seq.); and the second server being configured to:

search the news content based on the search query to obtain search results (column 11 lines 24 – 29, et seq.), and

provide selected news content to the first server based on the search results (column 11 lines 24 – 29, et seq.); the first server being further configured to:

permit a plurality of clients to access, from across the network, the locally created news content and the selected news content received from the second server, where the first server, the second server, and the plurality of remote servers comprise different network devices that connect to the network (Figure 3, column 3 line 67 – column 4 line 2, et seq.: news server is the custom document server).

Miyasaka does not explicitly indicate that the second server is operable to crawl

a corpus of news documents hosted on other servers (Miyasaka DOES disclose that the

first server is capable of requesting/querying other news documents from content

providers or other databases maintained by others).

However, Polizzi discloses a crawl server (the second server) operable to crawl

documents on server agents (other servers) by navigating the portal, the intranet, and

the Internet, and to gather and download documents from the Internet (store information

associated with the crawled documents) (Figure 2 elements 235 and 250, column 12

lines 46 – 67, et seq.). It would have been obvious to a person of ordinary skill in the

data processing art to modify Miyasaka's method of aggregating news content from

multiple sources to incorporate Polizzi's method of crawling documents, thus enabling

access to multiple computer systems to retrieve data and present them to an individual

in a standardized and easy-to-learn format (column 1 lines 46 – 50, et seq.).

Claim 31 is rejected based on the same rationale discussed in claim 19 rejection

since the subject matter of claim 31 seems to be identical to that of claim 19.

Regarding claim 32, Miyasaka discloses sending the document to the plurality of

other users based on a request to access the custom news content (column 4 lines 37 –

40, et seq.).

Regarding claim 33, Miyasaka discloses,

A method, comprising:

embedding search queries in selected locations of news content documents

stored at a first server (column 4 lines 9 – 11; 16 – 17, column 6 lines 43 – 47, et seq.)et

seq.);

receiving, from across a network, a selection of one of the news content

documents from a user at a client (column 4 lines 34 – 37, column 10 lines 23 – 29, et

seq.);

retrieving one of the embedded search queries (column 4 lines 34 – 37, column

10 lines 23 – 29, et seq.); and

sending query data, that includes the one of the embedded search queries, from

the first server to the client across at least a portion of a network to allow the client,

using the query data, to retrieve news content from a second server (column 11 lines 15

– 29, et seq.).

Miyasaka does not explicitly indicate that the second server is operable to crawl

a corpus of news documents hosted on other servers and store information associated

with the crawled documents (Miyasaka DOES disclose that the first server is capable of

requesting/querying other news documents from content providers or other databases

maintained by others).

However, Polizzi discloses a crawl server (the second server) operable to crawl

documents on server agents (other servers) by navigating the portal, the intranet, and

the Internet, and to gather and download documents from the Internet (store information

associated with the crawled documents) (Figure 2 elements 235 and 250, column 12

lines 46 – 67, et seq.). It would have been obvious to a person of ordinary skill in the

data processing art to modify Miyasaka's method of aggregating news content from

multiple sources to incorporate Polizzi's method of crawling documents, thus enabling

access to multiple computer systems to retrieve data and present them to an individual

in a standardized and easy-to-learn format (column 1 lines 46 – 50, et seq.).

Regarding claim 34, Miyasaka discloses searching the repository of documents

based on the one of the embedded search queries to obtain the news content and

sending the obtained news content from the second server to the client across the

network (column 11 lines 15 – 29, et seq.).

Claims 36 – 38 are rejected based on the same rationale discussed in claims 31,

33, 34 rejections.

Regarding claim 39, Miyasaka discloses the query data includes at least a

portion of text from the selected one of the news content documents (Figure 5C, et seq.).

Regarding claim 40, Miyasaka discloses devising a search query based on the at

least a portion of text and searching the repository to obtain new content (Figure 5C,

column 3 lines 29 – 31; 34 – 37, column 11 lines 15 – 29, et seq.).

Regarding claim 41, Miyasaka discloses fetching the selected one of the news

content documents using the URL, generating a search query based on keywords of the

fetched one of the news content document, and searching the repository to obtain the

news content (Figure 5C, column 3 lines 29 – 31; 34 – 37, column 11 lines 15 – 29,

column 1 lines 33, column 4 line 14, column 13 lines 30 – 32, et seq. (Also see "search

server" and "crawl server" in Polizzi).

Claims 3 – 4 and 22 – 23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Miyasaka and Polizzi in view of U.S. Publication Number

2002/0103809 issued to Timothy W. Starzl et al (hereinafter "Starzl").

Regarding claim 3, Miyasaka and Polizzi disclose the query data comprising the

URL.

Miyasaka and Polizzi do not explicitly disclose a server that's capable retrieving

at least a portion of text of the news content.

However, Starzl discloses a server that's capable retrieving at least a portion of

text of the news content and generates a search query for use in the search based, at

least in part, on the at least a portion of the text (paragraph 14 lines 5 – 16; 18 – 23, et

seq.: web documents (news content) are parsed, stored, and de-duplicated to build a

crawl table (table containing portions of text of the news content), and the system uses

a spider server to retrieve the full-text document related to each item in the crawl table

(search is performed using the portions of text of the news content). Therefore, the

items in the crawl table can be interpreted as generated search query based on the at

least a portion of the text retrieved from the news content). At the time of the present

invention, it would have been obvious to a person of ordinary skill in the data processing

art to combine the two references because Starzl's text retrieval method would have

enabled Miyasaka and Polizzi's system to retrieve most relevant content by using the

keyword information (which is obtained from the news content) contained in the query.

Regarding claim 4, Starzl discloses the at least a portion of the text of the selected news content comprises key words of the selected news content (paragraph 14 lines 5 – 16; 18 – 23, et seq.).

Claims 22 and 23 are also rejected based on the rationale discussed in claims 3 and 4 rejections.

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyasaka and Polizzi, further in view of U.S. Publication Number 2005/0027666 issued to Beck et al. (hereinafter "Beck").

Regarding claim 35, Miyasaka and Polizzi disclose the method of claim 33.

Miyasaka and Polizzi do not explicitly disclose the embedded search queries in the form of an applet or a hyper text markup language (HTML) iframe.

However, Beck discloses the aforementioned feature in paragraph 24. It would have been obvious to a person of ordinary skill in the data processing art at the time the invention was made to modify Miyasaka and Polizzi's method to incorporate Beck's use of hyper text markup language iframe, thus enabling an interactive online research system, locating an online site or document to present to a user.
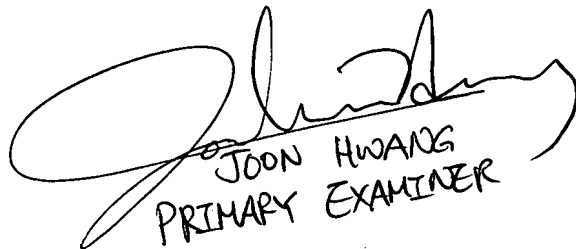
Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sangwoo Ahn whose telephone number is (571) 272-

5626. The examiner can normally be reached on M-F 10-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

<div style="text-align: right;">

Patent Examiner Sangwoo Ahn
AU 2166

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11/7/2007 SW

JOON HWANG
PRIMARY EXAMINER